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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/824,550
Filing Date: April 14, 2004
Appellant(s): PECEN ET AL.

MAILED

OCT 23 2007

Technology Center 2600

Roland K. Bowler II
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 07/05/2007.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

2002/0147008	Kallio	10-2002
7,092,710	Stoter et al.	08-2006
2003/0114162	Chheda et al.	06-2003
2004/0203880	Riley	10-2004

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1, 3-5, 7-8 and 22-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Kallio (US2002/0147008).

Regarding claim 1, Kallio anticipates a method in a wireless communications device, the method comprising:

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obtaining a measure of mobility (measure of rx-level) of the wireless communications device (paragraphs 0043-0048);

monitoring a first system (WLAN) while selected to a second system (GSM) only if the measure of mobility exceeds a mobility threshold (paragraphs 0013, 0048).

Regarding claim 22, Kallio anticipates a method in a wireless communications device, the method comprising:

obtaining a measure of mobility (measure of rx-level) of the wireless communications while selected to a cellular wireless communications system (paragraphs 0043-0048);

monitoring for a broadband wireless communications system (WLAN) while selected to the cellular wireless communications system (GSM) only if the measure of mobility exceeds a mobility threshold (paragraphs 0013, 0048).

Regarding claim 3, Kallio anticipates the limitation of claim 1.

Kallio anticipates monitoring the first system includes obtaining a signal measurement from the first system and synchronizing with the first system (paragraphs 0012-0013).

Regarding claim 4, Kallio anticipates the limitation of claim 1.

Kallio anticipates selecting the first system if a signal measurement of the second system drops below a second system lower threshold (paragraph 0048).

Regarding claim 5, Kallio anticipates the limitation of claim 1.

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Kallio anticipates selecting the first system and deselecting the second system if the signal measurement of the second system drops below a second system lower threshold (paragraph 0048), re-selecting the second system if the signal measurement of the second system exceeds a second system upper threshold for a predetermined time period (a period of four measurement reports, paragraph 0013) after selecting the first system (paragraphs 0047-0048).

Regarding claim 7, Kallio anticipates the limitation of claim 1.

Kallio anticipates obtaining the measure of mobility based information obtained while selected to the second system (paragraph 0012), on cell selection monitoring the first system while selected to the second system only if the measure of mobility exceeds the mobility threshold (paragraph 0013).

Regarding claim 8, Kallio anticipates the limitation of claim 1.

Kallio anticipates the second system is a cellular system, obtaining the measure of mobility based on number of different cells selected while selected to the second system (paragraphs 0012-0013).

Regarding claim 23, Kallio anticipates the limitation of claim 22.

Kallio anticipates obtaining the measure of mobility based on changes in a universe of different cells selected while selected to the second system (paragraph 0039).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 6, 10 and 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kallio (US2002/0147008).

Regarding claim 6, Kallio teaches the limitation of claim 5.

Kallio also teaches monitoring the first system after reselecting the second system (paragraphs 0012-0013, 0048).

But, Kallio does not expressly disclose discontinuing monitoring the first system if the measure of mobility is not greater than the mobility threshold.

However, it would have been obvious to one of ordinary skill in the art to recognize that there is no point of monitoring a system that does not provide efficient mobility since the purpose of monitoring is to look for a network can provide better mobility service.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Kallio into discontinuing monitoring a network with mobility measurement lower than the threshold, in order to save processing resources.

Regarding claim 10, Kallio teaches a method in a hybrid wireless communications device, the method comprising:

comparing a mobility measurement (determine whether WLAN rx-level above threshold) of the wireless communications device to a mobility threshold while connected to a broadband wireless network (establish connection with WLAN when enter, paragraphs 0012-0013);

monitoring a cellular communications network if the mobility measurement is greater than a mobility threshold (paragraphs 0036-0038, where move into WLAN because WLAN rx-level exceeds threshold and start monitoring neighboring GSM cell).

But, Kallio does not expressly disclose not monitoring the cellular communications network if the mobility measurement is not greater than the mobility threshold.

However, it would have been obvious to one of ordinary skill in the art to recognize that the mobile station does not move into the WLAN if link quality is below threshold. And so it is no need to monitor the neighboring GSM network (paragraph 0038+table).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Kallio into stop moving into a network with inefficient link quality and stop monitoring a GSM cell, in order to maintain quality of service and save processing resources.

Regarding claim 13, Kallio teaches the limitation of claim 10.

Kallio teaches selecting the cellular communications network if a signal measurement on the broadband wireless network is less than a lower threshold (obviously no need to select a network with inefficient quality of service, paragraphs 0036-0037).

Regarding claim 14, Kallio teaches the limitation of claim 13.

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Kallio teaches selecting the broadband wireless network if the signal measurement on the broadband wireless network is greater than or equal to an upper threshold for a specified time period (counting four measurement time before selecting, paragraph 0013), remaining on the cellular communications network if the signal measurement on the broadband wireless network is not greater than or equal to the upper threshold for the specified time period (paragraph 0013).

3. Claims 2, 9, 11, 15 and 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kallio (US2002/0147008) in view of Stoter et al. (US Patent#7092710).

Regarding claims 2 and 11, Kallio teaches the limitations of claims 1 and 10.

But, Kallio does not expressly disclose obtaining the measure of mobility based on a regression error of a signal measurement on the second system.

However, Kallio teaches calculating rx-level and measurement report based on different parameters (paragraph 0046).

Stoter et al. teach Stoter teaches taking measurement on radio link quality over time, such as taking relative measurements of error information (column 3 line 44 to column 4 line 27), which would have been obvious to one of ordinary skill in the art to recognize that the measurements of error information may be taken into calculation of Kallio.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate taking measurements of error information over time taught by Stoter et al. as parameters in the method of Kallio, in order to calculate mobility in related to error measurements.

Regarding claim 20, Kallio teaches a method in a wireless communications device operable on first and second wireless communications systems, the method comprising:

operating on the first wireless communications system (paragraph 0012);

making signal measurements on the second wireless communications system (paragraph 0012);

selecting the second wireless communications system if signal measurements on the second wireless communications system exceeds a threshold for a specified time period (paragraph 0013).

But, Kallio does not expressly disclose a dynamic threshold compensates for changes in regression error of the signal measurements on the second wireless communications system.

However, Kallio teaches calculating rx-level and measurement report based on different parameters (paragraph 0046).

Stoter et al. teach using a dynamic threshold compensates measurement variations in time and taking measurement on radio link quality over time, such as taking relative measurements of error information (column 3 line 44 to column 4 line 27), which would have been obvious to one of ordinary skill in the art to recognize that the measurements of error information may be taken into calculation of Kallio and a dynamic threshold may be used to increase accuracy in threshold comparisons.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate taking measurements of error information over time and having a

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dynamic threshold as taught by Stoter et al. into the method of Kallio, in order to determine mobility in related to error measurement and increase accuracy in threshold comparisons.

Regarding claims 9 and 21, Kallio and Stoter et al. teach the limitations of claims 2 and 20.

Stoter et al. also teach obtaining the signal measurement based on any one of a received signal strength indication, bit error rate information, and block erasure rate information (column 3 lines 44-48).

Regarding claim 15, Kallio teaches the limitation of claim 11.

But, Kallio does not expressly disclose obtaining the signal measurement based on any one of a received signal strength indication, bit error rate information, and block erasure rate information.

Stoter et al. also teach obtaining the signal measurement based on any one of a received signal strength indication, bit error rate information, and block erasure rate information (column 3 lines 44-48).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate received signal strength as measurement taught by Stoter et al. into the method of Kallio, in order to determine network efficiency.

4. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kallio (US2002/0147008) in view of Stoter et al. (US Patent#7092710) and Riley (US2004/0203880).

Regarding claim 12, Kallio and Stoter et al. teach the limitation of claim 11.

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But, Kallio and Stoter et al. do not expressly disclose determining the mobility measurement based on a root mean square of the regression error information.

Riley teaches taking link strength measurement with root mean square process (paragraph 0113).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate root mean square process taught by Riley into the modified method of Kallio and Stoter et al., in order to minimize measurement errors.

5. Claims 16 and 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kallio (US2002/0147008) in view of Chheda et al. (US2003/0114162).

Regarding claim 16, Kallio teaches a method in a wireless communications device capable of communicating in a cellular communications network and in a broadband wireless network, the method comprising:

determining handover request based on broadband wireless network signal measurement (paragraph 0040);

monitoring a cellular communications network if the signal measurement is lower than a threshold (paragraphs 0040-0042+table);

But, Kallio does not expressly disclose determining regression line error information based on broadband wireless network signal measurement; monitoring a cellular communications network if the error information is greater than a threshold; not monitoring the cellular communications network if the error information is not greater than the threshold.

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However, Kallio teaches calculating rx-level and measurement report based on different parameters (paragraph 0046).

Chheda et al. teach taking measurement on radio link quality over time, such as taking relative measurements of error information for handover decision (paragraph 0024), which would have been obvious to one of ordinary skill in the art to recognize that the roaming of Kallio may be considered in term of comparison in error measurements, where a roaming/handover is required if error measurement is greater than a threshold (WLAN link quality falling). Otherwise, there is obviously no need to spend resource to monitor on and/or roaming to a neighboring GSM cell if the mobile station has an excellent link quality on WLAN while saving battery in comparison to camp on GSM network.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate taking measurement on error information in triggering handover taught by Chheda et al. into the modified method of Kallio, in order provide an alternative approach to determine whether to prepare for handover based on relative link quality measurements.

Regarding claim 18, Kallio and Chheda et al. teach the limitation of claim 16.

Kallio also teaches selecting the cellular communications network if a signal measurement on the broadband wireless network is less than a lower threshold (paragraphs 0040-0042+table).

Regarding claim 19, Kallio and Chheda et al. teach the limitation of claim 18.

Kallio also teaches selecting the broadband wireless network if the signal measurement on the broadband wireless network is greater than or equal to an upper threshold for a specified time

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period (paragraphs 0012-0013). And, it would have been obvious to one of ordinary skill in the art that it is best for the mobile station to remain in the GSM cell if the WLAN cell cannot provide a signal quality greater than or equal to the upper threshold for the specified time period (paragraph 0013).

6. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kallio (US2002/0147008) in view of Chheda et al. (US2003/0114162) and Riley (US2004/0203880).

Regarding claim 17, Kallio and Chheda et al. teach the limitation of claim 16.

But, Kallio and Chheda et al. do not expressly disclose determining the mobility measurement based on a root mean square of the regression error information.

Riley teaches taking link strength measurement with root mean square process (paragraph 0113).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate root mean square process taught by Riley into the modified method of Kallio and Chheda et al., in order to minimize measurement errors.

(10) Response to Argument

Appellant's arguments with respect to Kallio (US2002/0147008) on claims 1, 3-5, 7-8 and 22-23 have been fully considered but they are not persuasive.

(Claim 1) The appellant argued that Kallio does not disclose a method in a wireless communications device including "... obtaining a measure of mobility of a wireless

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communication device..." or "monitoring a first system while selected to a second system only if the measure of mobility exceeds a mobility threshold".

In response to the argument, the examiner respectfully disagrees with the appellant's argument. Since the claim does not specify any definition of the word "mobility" or limitations of how and where, to one of ordinary skill in the art, it is interpreted as a telecommunication link quality related to a mobile station, such as signal reception/transmission level.

The invention of Kallio is about providing a mobile station a seamless transition for roaming between two different radio networks, GSM network and wireless LAN (WLAN), where signal quality is taken into consideration for roaming decision (paragraphs 0008-0015).

Kallio discloses a scenario of a mobile station entering a WLAN while camping on a GSM network (Fig. 4, paragraphs 0043-0048). In paragraph 0048, Kallio discloses obtaining a measure of WLAN rx-level (measure of mobility) from measurement report while the mobile station camps on the GSM network. Kallio then discloses the WLAN rx-level is compared with two threshold values (where upper threshold value is considered as a mobility threshold). In Kallio's disclosure (paragraph 0048), the mobile station starts to measure (monitor) other GSM cells if the WLAN rx-level drops between the two threshold values (below the upper threshold value, the mobility threshold). In summary of Kallio, the same is disclosed in paragraph 0013, where the monitoring of WLAN continues for a period of time if the WLAN (played GSM) rx-level exceeds the threshold. It is also noted that monitoring is required anyway if the wireless communications device needs to obtain a measure of mobility for threshold comparison.

Thus, Kallio discloses the limitations of the claim.

(Claim 10) The appellant argued that Kallio does not discuss device mobility nor relates mobility to transmission level or link quality.

In response to the argument, the examiner respectfully disagrees with the appellant's argument. As explained above, without any definition or limitation in claim, the word "mobility" is taken to the broadest interpretation by one ordinary skill in the art, such as rx-level of a link. Like appellant's claimed method, Kallio's invention is about a hybrid wireless station that works on both a GSM network and a WLAN, where the selection of network is based on measurement reports of cells (paragraphs 0008-0015).

During idle mode, Kallio discloses a mobile station camps on a GSM cell and establishes communication (connected) with a WLAN when entering the WLAN, where a comparison of WLAN rx-level is made (paragraph 0036). Then Kallio discloses the mobile station switch off the GSM cell and camps on the WLAN because of good signal quality in WLAN (measurement exceeds threshold, paragraphs 0036, 0013), and thereafter monitoring of neighboring GSM cell starts (paragraph 0037-0038+table). As indicated in the table in paragraph 0038 and obvious to one of ordinary skill in the art that the mobile station does not need to monitor a GSM cell if the signal quality in WLAN is inefficient (measurement below threshold) and still camps on the GSM cell.

In another interpretation and scenario, though Kallio discloses threshold comparison on WLAN rx-level, Kallio discloses taking measurements from GSM cells (paragraphs 0043-0045) and deciding whether a GSM cell is good (paragraphs 0013, 0047), which would have been obvious to one of ordinary skill in the art to recognize that a threshold comparison on GSM rx-level is needed as well in order to determine whether a GSM cell is good.

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In active mode, Kallio discloses a scenario where a mobile station establishes communication (connected) with a WLAN and obtaining measurements (mobility measurement) when first entering the WLAN (paragraph 0046). Kallio also discloses measuring GSM neighbors and selectively enlisting into a target cell list (paragraphs 0043-0045, 0053-0054), which would have been obvious to one of ordinary skill in the art to recognize that the target cell list is maintained based on monitoring GSM cells. In view of Kallio's method of determining whether a WLAN link quality is good (rx-level exceeds threshold), it would have been obvious to one of ordinary skill in the art to recognize that only GSM cells with link quality measurement above a threshold may be enlisted in target cell list and continue to be monitored. Otherwise, there is obviously no need to spend resource to monitor a neighboring GSM cell with insufficient link quality (measurement below threshold) to roam into.

Thus, in either scenario, Kallio obviously teaches the limitations of the claim

(Claim 22) The appellant argued that Kallio does not disclose, "...obtaining a measure of mobility..." of a wireless communication device, or disclose "...monitoring for a broadband wireless communication system while selected to the cellular wireless communications system only if the measure of mobility exceeds a mobility threshold".

In response to the argument, the examiner respectfully disagrees with the appellant's argument. As explained in response to argument on claim 1 rejection above, without any definition or limitation in claim, the word "mobility" is taken to the broadest interpretation by one ordinary skill in the art, such as rx-level of a link.

Kallio discloses a scenario of a mobile station entering a WLAN while camping on a GSM network (Fig. 4, paragraphs 0043-0048). In paragraph 0048, Kallio discloses obtaining a measure of WLAN rx-level (measure of mobility) from measurement report while the mobile station camps on the GSM network. Kallio then discloses the WLAN rx-level is compared with two threshold values (where upper threshold value is considered as a mobility threshold). In Kallio's disclosure, the mobile station start measure (monitor) other GSM cells if the WLAN rx-level drops between the two threshold values (below the upper threshold value, the mobility threshold). In summary of Kallio, the same is disclosed in paragraph 0013, where the monitoring of WLAN continues for a period of time if the WLAN (played GSM) rx-level exceeds the threshold. It is also noted that monitoring is required anyway if the wireless communications device needs to obtain a measure of mobility for threshold comparison.

Thus, Kallio discloses the limitations of the claim.

Appellant's arguments with respect to Kallio (US2002/0147008) and Stoter (US Patent#7092710) on claims 2, 9, 11, 15 and 20-21 have been fully considered but they are not persuasive.

(Claim 11) The appellant argued that Kallio and Stoter fail to suggest in combination with "... determining the mobility measurement from regression error information of a signal measurement on the broadband wireless network".

In response to the argument, the examiner respectfully disagrees with the appellant's argument. Since the claim does not specify any definition or limitation in claim on either

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“mobility measurement” or “regression error information”, it is up to one of ordinary skill in the art to take the broadest interpretation. It is noted that appellant’s filed specification does not exactly indicate what the measure of mobility is except giving a formula based on an error value ϵ (paragraphs 0018-0020), wherein “...The value of ϵ is related to the consistency of signal strength due to time-varying effects...” (paragraph 0018) and “... the amplitude of the cellular signal ‘c’ is a received signal strength indication (RSSI) and/or other channel quality measurement, for example, bit error rate (BER), block erasure rate (BLER), etc. The signal ‘c’ is filtered and or subject to... the general form of which is also given by Equation (1)” (paragraph 0019) are disclosed. It shows that measurements of error information are taken into calculation of mobility. So, to one of ordinary skill in the art, “regression” is interpreted as measuring over time and “error information” is interpreted as measurements on error information related to signal quality. Basically, mobility is interpreted as a calculation based on channel quality measurements.

First, Kallio discloses, “...rx-level threshold value for this played GSM cell and for the measurement report is calculated by the Mobile Station (MS) 150. Different parameters may also be used for calculation...” (paragraph 0046), which means mobility may be calculated based on different parameters. Second, Stoter teaches taking measurement on radio link quality over time, such as taking relative measurements of error information (column 3 line 44 to column 4 line 27). In light of Stoter’s teaching, it would have been obvious to one of ordinary skill in the art to recognize that relative measurements on error information can be taken as parameters to calculate rx-level and measurement report, the mobility of Kallio.

Thus, Kallio and Stoter teach the limitations of the claim.

(Claim 20) The appellant argued that neither Kallio nor Stoter disclose "...selecting a second wireless communications system if signal measurements on the second wireless communications system exceeds a dynamic threshold compensates for changes in regression error of the signal measurements on the second wireless communication system."

In response to the argument, the examiner respectfully disagrees with the appellant's argument. Without any definition or limitation in claim, the phrase "regression error" is taken to the broadest interpretation by one ordinary skill in the art as explained above in response to argument on claim 11 rejection.

First, Kallio discloses a mobile station camps (operates) in a GSM cell and monitors a WLAN (played GSM cell) for a specified time period (paragraph 0013). Kallio also disclose selecting the WLAN if the measured rx-level (signal measurement) exceeds a threshold (paragraphs 0013, 0047-0048). Second, Stoter teaches "...the handover threshold is dynamically adapted subject to actual measured Radio Signal Strength Indication (RSSI) levels..."(column 3 line 44 to column 4 line 27), which is obviously compensating measurement variations over time. By applying the explanation on "regression error" in response to argument on claim 11 rejection above, it would have been obvious to one of ordinary skill in the art to recognize that a dynamic threshold taught by Stoter would be used to compensate changes in measurements of error information in calculation of Kallio, in order to compensate variations in time.

Thus, Kallio and Stoter teach the limitations of the claim.

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Appellant's arguments with respect to Kallio (US2002/0147008) and Chheda

(US2003/0114162), claims 16 and 18-19 have been fully considered but they are not persuasive.

(Claims 16 and 18) The appellant argued that Kallio and Chheda fails to disclose "...regression line error information based on broadband wireless network signal measurements..." because the term "regression" does not appear in the publications.

In response to the argument, the examiner respectfully disagrees with the appellant's argument. Since the claim does not specify any definition or limitation in claim on "regression line error information", it is up to one of ordinary skill in the art to take the broadest interpretation. It is noted that appellant's filed specification does not exactly indicate what the measure of mobility is, but giving a formula based on an error value ϵ (paragraphs 0018-0020), wherein "...The value of ϵ is related to the consistency of signal strength due to time-varying effects..." (paragraph 0018) and "... the amplitude of the cellular signal 'c' is a received signal strength indication (RSSI) and/or other channel quality measurement, for example, bit error rate (BER), block erasure rate (BLER), etc. The signal 'c' is filtered and or subject to... the general form of which is also given by Equation (1)" (paragraph 0019) are disclosed. It shows that measurements of error information are taken into calculation of mobility. So, to one of ordinary skill in the art, "regression line error information" is interpreted as measuring over time where the measurements are error information related to signal quality. Basically, the measurements are used in calculation for channel quality estimation.

First, Kallio discloses, "... the measurement report is calculated by the Mobile Station (MS) 150. Different parameters may also be used for calculation..." (paragraph 0046). Second, Chheda teaches taking measurement on radio link quality over time, such as taking relative

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measurements of error information for handover decision (Paragraph 0024). Kallio also discloses monitoring a GSM network if a WLAN measurement drops below threshold while camping on the WLAN (paragraphs 0040-0042+table). In light of Chheda's teaching, it would have been obvious to one of ordinary skill in the art to recognize inversely that the roaming of Kallio may be considered in term of comparison in error measurements, where a roaming/handover is required if error measurement is greater than a threshold (WLAN link quality falling). Otherwise, there is obviously no need to spend resource to monitor on and/or roaming to a neighboring GSM cell if the mobile station has an excellent link quality on WLAN while saving battery in comparison to camp on GSM network.

Thus, Kallio and Chheda teach the limitations of the claims.

(Claim 19) The appellant argued that Kallio does not disclose "... comparing a mobility measurement of the wireless communications device to a mobility threshold..." or "... monitoring a cellular communications network if the mobility measurement is greater than a mobility threshold..." or "... not monitoring the cellular communications network if the mobility measurement is not greater than the mobility threshold."

In response to the argument, the examiner respectfully disagrees with the appellant's argument. First, Kallio generally teaches two seamlessly bonded scenarios, such as either roaming from WLAN to GSM or roaming from GSM to WLAN (Figs. 1-5, paragraphs 0008-0015). In the second scenario, Kallio discloses a mobile station entering a WLAN cell while camping on a GSM network, wherein the WLAN cell (played GSM) is selected if signal measurement exceeds a threshold for a specified time period (paragraphs 0012-0013). And, it

would have been obvious to one of ordinary skill in the art that it is best for the mobile station to remain in the GSM cell if the WLAN cell cannot provide a signal quality greater than or equal to the upper threshold for the specified time period.

Thus, Kallio and Chheda teach the limitations of the claim.

Appellant quoted few supposed claim limitations and argued at the end of argument for claim 19, "Kallio does not disclose '... comparing a mobility measurement of the wireless communications device...' or '... if the mobility measurement is greater than a mobility threshold...' or '... if the mobility measurement is not greater than the mobility threshold.'" It is noted to the examiner that the claim languages do not occur in claim 19 and neither in claims 16 and 18.1

For the above reasons, it is believed that the rejections should be sustained.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

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Respectfully submitted,

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